



General Assembly

Substitute Bill No. 5803

February Session, 2008

* _____HB05803ENV____031708_____*

AN ACT CONCERNING THE ESTABLISHMENT OF A TRAINING AND CERTIFICATION PROGRAM FOR MUNICIPAL ANIMAL CONTROL OFFICERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2008*) For the purposes of sections
2 2 to 6, inclusive, of this act, "animal control officer" includes a regional
3 animal control officer, assistant regional animal control officer and
4 municipal animal control officer, as defined in section 22-327 of the
5 general statutes, and an assistant municipal animal control officer and
6 "council" means the Police Officer Standards and Training Council
7 established pursuant to section 7-294b of the 2008 supplement to the
8 general statutes.

9 Sec. 2. (NEW) (*Effective July 1, 2008*) (a) The council, in consultation
10 with the Commissioner of Agriculture, shall develop a training
11 program, within available appropriations, for certification of animal
12 control officers. The program shall consist of not less than eighty hours
13 of training including, but not limited to: (1) State and federal law
14 relating to arrest, search and seizure; (2) state law relating to animals;
15 (3) the basics of investigation; (4) report writing and record keeping;
16 (5) shelter or pound standards; (6) disease recognition; (7) euthanasia
17 policy; (8) ethics and professionalism in dealing with the public; (9)
18 cruelty and neglect investigations, including, but not limited to, blood
19 sports and cults; (10) animal bite and vicious animal investigations;

20 (11) officer safety and loss prevention; (12) animal care, identification,
21 behavior, handling and capture and restraint techniques; (13) overview
22 of the legal system, court structure and terminology; (14) warrants; and
23 (15) civil liability issues.

24 (b) The council shall hire one instructor for the purpose of
25 instructing, certifying and retraining animal control officers. The
26 council, in consultation with the Commissioner of Agriculture, shall
27 approve or develop an examination, within available appropriations,
28 designed to test proficiency in the subjects covered by the training
29 program developed pursuant to subsection (a) of this section. The
30 examination may be written, oral, practical or a combination thereof.

31 (c) The council, in consultation with the Commissioner of
32 Agriculture, may approve, reject or revoke approval of any animal
33 control officer training courses, including, but not limited to, courses
34 provided by the National Animal Control Association, the American
35 Humane Association or the Humane Society of the United States for
36 inclusion in the training programs developed pursuant to this section.

37 (d) The council may, from time to time, amend or alter the training
38 programs and the examination the council develops pursuant to this
39 section.

40 Sec. 3. (NEW) (*Effective July 1, 2008*) (a) Each person appointed as an
41 animal control officer on and after July 1, 2008, shall be certified by the
42 council not later than two years after such appointment. Except as
43 provided in subsection (b) of this section, the council shall only certify
44 a person who has satisfactorily completed the training program
45 developed pursuant to section 2 of this act. The provisions of section
46 7-294d of the general statutes concerning police officer training shall
47 not apply to animal control officers appointed pursuant to section
48 22-328, 22-331 or 22-331a of the general statutes unless the duties of
49 such officer include carrying a firearm or custodial arrest.

50 (b) The council, in consultation with the Commissioner of
51 Agriculture, shall develop a retraining program for persons who have

52 served as animal control officers in the state for a period of five years
53 since July 1, 1997. Such officers shall complete the retraining program
54 and become certified in order to continue to serve as animal control
55 officers. The council shall refuse to certify any officer that fails to
56 complete such training satisfactorily.

57 (c) The council may decline to issue a certificate if (1) the applicant
58 falsified any document in order to obtain or renew the certificate, (2)
59 the applicant has been convicted of a felony, (3) the applicant has been
60 found not guilty of a felony by reason of mental disease or defect
61 pursuant to section 53a-13 of the general statutes, (4) the applicant has
62 been convicted of a violation of subsection (c) of section 21a-279 of the
63 general statutes or section 29-9 of the general statutes, or (5) the
64 applicant has been refused issuance of a certificate or similar
65 authorization or has had a certificate or other similar authorization
66 revoked by another jurisdiction on grounds that would authorize
67 revocation under the provisions of this subsection.

68 (d) The council may revoke any certificate if (1) the certificate was
69 issued by administrative error, (2) the certificate was obtained through
70 misrepresentation or fraud, (3) the holder falsified any document in
71 order to obtain or renew any certificate, (4) the holder has been
72 convicted of a felony, (5) the holder has been found not guilty of a
73 felony by reason of mental disease or defect pursuant to section 53a-13
74 of the general statutes, (6) the holder has been convicted of a violation
75 of subsection (c) of section 21a-279 of the general statutes or section
76 29-9 of the general statutes, or (7) the holder has been refused issuance
77 of a certificate or similar authorization or has had the certificate or
78 other authorization revoked by another jurisdiction on grounds that
79 would authorize revocation under the provisions of this subsection.
80 Whenever the council believes there is a reasonable basis for
81 revocation of the certificate of an animal control officer, the council
82 shall give the holder of the certificate notice and an opportunity for a
83 hearing, in accordance with the provisions of section 4-182 of the
84 general statutes. Any officer whose certification is revoked pursuant to
85 this section may reapply for certification no sooner than two years

86 after the date on which the revocation order becomes final.

87 Sec. 4. (NEW) (*Effective July 1, 2008*) (a) If a person who was
88 employed and certified as an animal control officer is not employed in
89 such capacity, such certification shall expire after two years of
90 unemployment, unless such officer has been on a leave of absence.
91 Upon reemployment as an animal control officer, such officer shall
92 apply for certification and become certified in the manner provided in
93 section 2 of this act.

94 (b) A municipality may appoint a temporary animal control officer
95 who does not hold a certificate pursuant to sections 1 to 4, inclusive, of
96 this act for a period not to exceed thirty days per calendar year. The
97 council may grant a one time thirty-day extension for such temporary
98 animal control officer. The council may encourage municipalities to
99 share the services of animal control officers in the event a temporary
100 animal control officer is needed by a municipality.

101 Sec. 5. (NEW) (*Effective July 1, 2008*) The Commissioner of
102 Agriculture, in consultation with the Police Officer Standards and
103 Training Council, may adopt regulations, in accordance with the
104 provisions of chapter 54 of the general statutes, to implement the
105 provisions of sections 1 to 4, inclusive, of this act, including, but not
106 limited to, establishing procedures for applying for certification as an
107 animal control officer.

108 Sec. 6. (NEW) (*Effective October 1, 2008*) No municipality shall be
109 liable for compensation to any municipal animal control officer whose
110 certification under section 3 or 4 of this act has been revoked or
111 expired during the period of such revocation or expiration.

112 Sec. 7. (*Effective July 1, 2008*) The sum of eighty thousand dollars is
113 appropriated to the Department of Public Safety, from the General
114 Fund, for the fiscal year ending June 30, 2009, for the Police Officer
115 Standards and Training Council for purposes specified in sections 1 to
116 5, inclusive, of this act.

Section 1	<i>July 1, 2008</i>	New section
Sec. 2	<i>July 1, 2008</i>	New section
Sec. 3	<i>July 1, 2008</i>	New section
Sec. 4	<i>July 1, 2008</i>	New section
Sec. 5	<i>July 1, 2008</i>	New section
Sec. 6	<i>October 1, 2008</i>	New section
Sec. 7	<i>July 1, 2008</i>	New section

In subsection (b) of section 3 the second sentence was rewritten to effectuate the intent of the committee and clarify that certification is required for a person to continue to serve as an animal control officer.

ENV *Joint Favorable Subst.-LCO*